

Gina Harrison

1000 10th St.

Washington, D.C. 20004

1000 10th St.

Washington, D.C. 20004

202-462-1000

PACIFIC X TELESIS
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May 9, 1996

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

EX PARTE

William F. Caton
Acting Secretary
Federal Communications Commission
Mail Stop 1170
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Dear Mr. Caton:

Re: WT Docket No. 96-6, Amendment of the Commission's Rules to Permit Flexible Service Offerings in the Commercial Mobile Radio Service, Reply Comments of American Petroleum Institute

The attached letter was sent today, from Betsy Stover Granger, Attorney, Pacific Bell Mobile Services, to Michele Farquhar, Chief of the Wireless Telecommunications Bureau. Copies were also sent to David Furth, David Krech, and Jennifer Warren. Please associate this with the above-referenced docket.

We are submitting two copies of this notice in accordance with Section 1.1206(a)(1) of the Commission's Rules.

Please stamp and return the provided copy to confirm your receipt. Please contact me should you have any questions or require additional information concerning this matter.

Sincerely,

Alan Thompson for GMH

No. of Copies to be
Listed Below *04*

May 8, 1996

Michele Farquhar
Chief of Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Dear Ms. Farquhar,

Re: WT Docket No. 96-6, Amendment of the Commission's Rules to Permit
Flexible Service Offerings in the Commercial Mobile Radio Service,
Reply Comments of American Petroleum Institute

This letter is in response to some statements made in the Reply Comments of the American Petroleum Institute regarding our proposal to use PCS spectrum to support a handset that would operate as a cordless phone within the immediate vicinity of a fixed base station in the home and that would operate on the PCS network outside of the home. In our comments, we noted that under Section 24.237, the home base station would be considered a base station subject to interference analysis and prior coordination processes. Therefore, we recommended that the Commission include in its rules a specific exemption of the prior coordination requirement for home base stations operating at 100 mW or less. (This power level is similar to that of a baby monitor.)

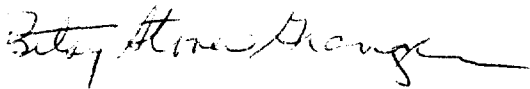
The American Petroleum Institute ("API") apparently misunderstood our proposal. API vigorously objected to it stating, "Pacific's proposal is essentially designed to permit individuals to communicate between any location and their home via PCS spectrum without first performing an interference analysis and complying with the prior coordination process."¹ API fails to understand that the handsets in this service will be operating on frequencies associated with the PCS system that have been through the prior coordination notice process. Our proposal intends to allow the PCS operator to take full advantage of spectrum in which coordination has already taken place and in which we will be operating many base stations at power levels up to 1640 watts (16,000 times more power than the home base stations proposed.) We are seeking to avoid having to do a second interference analysis and prior coordination notice for each home base station. The requirement to perform a second interference analysis and prior coordination notice for each home base station would be extremely burdensome and would be of little or no value to the incumbent since a frequency analysis at a higher power level would have already been completed.

¹ API Reply Comments, p. 3.

API goes on to state that "the Pacific proposal could result in thousands of consumers interfering with fixed microwave incumbents from an untold number of different, mobile locations, without any warning to or recourse by incumbents."² Again, API is confused. The home base station is a fixed unit. Our PCS system will be deployed to support thousands of mobile consumers without interfering with microwave incumbents. It is highly unlikely that the addition of low power home base stations will cause additional interference in areas in which high power PCS base stations operate. At the 100 mW level or less, given a typical building loss of 10-15 dB, the actual radiated power from these units into the environment will be in the 3 - 10 mW range. This will have an effective outside range of 200-400 feet. The potential from interference for these low power fixed stations would be low, even without any prior coordination, and is even more unlikely after the prior coordination for the higher power stations is completed. In the event that such interference did occur, it would be very easy to identify the responsible licensee.

The value of the proposed service is that it gives the customer the convenience of having a single handset perform two functions. Microwave incumbents will not be prejudiced in any way by a clarification of the rule that eliminates any need for a second interference analysis for low-power home base stations. We respectfully request that the Commission adopt this clarification that will enable this innovative service to be offered to the public.

Sincerely,



Betsy Stover Granger
Attorney

cc: David Furth
David Krech
Jennifer Warren
Parties in WT Docket 96-6

² Id. at p. 4.

SERVICE LIST FOR WT DOCKET 96-6

Coleen M. Egan Helmreich
US West, Inc.
1020 19th Street, NW
Suite 700
Washington, DC 20036

William L. Roughton, Jr.
PCS Primeco, L.P.
1133 20th Street, NW
Suite 850
Washington, DC 20036

Charles P. Featherstun
David G. Richards
BellSouth Corporation
1133 21st Street, NW
Washington, DC 20036

Werner K. Hartenberger
Laura H. Phillips
Christina H. Burrow
Dow, Lohnes, and Albertson
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036-6802
Attorneys for Cox Enterprise

John F. Beasley
William B. Barfield
Jim O. Llewellyn
BellSouth Corporation
1155 Peachtree Street, NE
Suite 1800
Atlanta, GA 30309-2641

Bruce D. Jacobs
Glenn S. Richards
Theodore N. Stern
Fisher Waylan Cooper
Leader & Zaragoza, L.L.P.
2001 Pennsylvania Avenue, NW
Suite 400
Washington, DC 20006
Attorneys for AMSC Subsidiary Corporation

Robert M. Lynch
Carol Tacker
David Brown
SBC, Communications, Inc.
175 E. Houston
San Antonio, TX 78205

Mark J. Tauber
Mark J. O'Connor
Piper & Marbury, L.L.P.
1200 19th Street, NW
7th Floor
Washington, DC 20036

Paul Rodgers
Charles D. Gray
James Bradford Ramsay
National Association of Regulatory
Utility Commissioners
P. O. Box 684
Washington, DC 20044

Leonard J. Kennedy
Christina H. Burrow
Dow, Lohnes, and Albertson
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036-6802
Attorneys for Comcast Corporation

Lon C. Levin
AMSC Subsidiary Corporation
10802 Park Ridge Blvd.
Reston, VA 22091

Kathleen Q. Abernathy
David A. Gross
AirTouch Communications, Inc.
1818 N Street, NW
Suite 800
Washington, DC 20036

SERVICE LIST FOR WT DOCKET 96-6

Kevin C. Gallagher
360 Degree Communications
8725 Higgins Road
Chicago, IL 60631

Caressa D. Bennet
Michael R. Bennet
Bennet and Bennet
1831 Ontario Pl, NW
Suite 200
Washington, DC 20009
Attorneys for Ad Hoc Rural Cellular Coalition

James Rowe
Alaska Telephone Association
4341 B Street
Suite 304
Anchorage, AK 99503

David L. Nace
Elizabeth R. Sachs
Lukas, McGowan, Nace & Gutierrez, CHTD.
1111 19th Street, NW
12th Floor
Washington, DC 20036
Attorneys for Alliance of LEC - Affiliated
Wireless Service Providers

Alan R. Shark
Jill M. Lyon
American Mobile Telecommunications
Associations, Inc.
1150 18th Street, NW
Suite 250
Washington, DC 20036

Frank Michael Ranek
Ameritech
2000 W. Ameritech Center Drive
Room 4H84
Hoffman Estates, IL 60196-1025

Wayne V. Black
John Reardon
Keller & Heckman
1001 G Street
Suite 500 West
Washington, DC 20001
Attorneys for The American Petroleum
Institute

Douglas I. Brandon
Cathleen A. Masty
AT&T Wireless Services, Inc.
1150 Connecticut Avenue, NW
4th Floor
Washington, DC 20036
Attorneys for AT&T Corporation

Mark C. Rosenblum
Judy Sello
AT&T Corporation
295 North Maple Avenue
Room 3244JI
Basking Ridge, NJ 07920

James G. Pachulski
Bell Atlantic
1320 North Court House Road
8th Floor
Arlington, VA 22201

John T. Scott, III
Crowell & Moring
1001 Pennsylvania Avenue, NW
Washington, DC 20004
Attorneys for Bell Atlantic Nynex Mobile, Inc.

Michael F. Altschul
Randall S. Coleman
Cellular Telecommunications Industry
Association
1250 Connecticut Avenue, NW
Suite 200
Washington, DC 20036

SERVICE LIST FOR WT DOCKET 96-6

Frederick M. Joyce
Christine McLaughlin
Joyce & Jacobs
1019 19th Street, NW
14th Floor, PH2
Washington, DC 20036
Attorneys for Celpage, Inc.

James F. Ireland
Theresa A. Zeterberg
Cole, Raywid & Braverman, L.L.P.
1919 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20554

Andre J. Lachance
1850 M Street, NW
Suite 1200
Washington, DC 20036
Attorney for GTE Service Corporation

Terrance P. McGarty
COMAV, LLC and The Telmarc Group, Inc.
24 Woodbine Road
Florham Park, NJ 07932

Micael Morris
SR TELECOM, Inc.
8150 Transcanada Highway
St. Laurent, Quebec
Canada H4S 1M5

John A. Malloy
Leo R. Fitzsimon
GO Communications Corporation
201 N. Union Street
Suite 410
Alexandria, VA 22314

Susan W. Smith
Century Cellunet, Inc.
3505 Summerhill Road
No. 4 Summer Place
Texarkana, TX 75501

Donald C. Rowe
1111 Westchester Avenue
White Plains, NY 10604
Attorney for NYNEX Companies

Lisa M. Zaina
OPASTCO
21 Dupont Circle, NW
Suite 700
Washington, DC 20036

Charles R. Geer
SR TELECOM, Inc.
4600 South Ulster Street
Suite 700
Denver, CO 80237

Robert S. Foosaner
Lawrence R. Krevor
Laura L. Holloway
Nextel Communications, Inc.
800 Connecticut Avenue, NW
Suite 1001
Washington, DC 20006

Philip L. Verveer
Jennifer A. Donaldson
Willkie Farr & Gallagher
1155 21st Street, NW
Suite 600
Three Lafayette Centre
Washington, DC 20036-3384

SERVICE LIST FOR WT DOCKET 96-6

Mary E. Brooner
Motorola, Inc.
1350 I Street, NW
Suite 400
Washington, DC 20005

Donald M. Mukai
US West NewVector Group, Inc.
3350 161st Avenue, SE
Bellevue, WA 98008-1329

Jay C. Keithley
H. Richard Juhnke
1850 M Street, NW
Suite 1100
Washington, DC 20036-5807
Attorneys for Sprint Corporation

Steven Sivitz
PCS Business Development
Pacific Communication Services, Inc.
9645 Scranton Road
San Diego, CA 92121

Brian G. Kieman
InterDigital Communications Corporation
781 Third Avenue
King of Prussia, PA 19406-1409

David Cosson
L. Marie Guillory
Steven E. Watkins
NTCA
2626 Pennsylvania Avenue, NW
Washington, DC 20037

Gene DeJordy
Western Wireless Corporation
330 120th Avenue, NE
Suite 200
Bellevue, WA 98005

Jonathan D. Blake
Kurt A. Wimmer
Covington & Burling
1201 Pennsylvania Avenue, NW
Washington, DC 20044
Attorneys for Telular Corporation

Michael B. Azeez
PCS One, Inc.
2500 English Creek Avenue
Building 11
Egg Harbor Township, NJ 08234

Diane R. Stafford
P. O. Box 11315
Kansas City, MO 64112
Attorney for Sprint Corporation

Michael J. Shortly, III
Frontier Corporation
180 South Clinton Avenue
Rochester, NY 14646-0700

Fred Daniel
d/b/a Orion Telecom
P. O. Box 9227
Newport Beach, CA 92660

Catherine R. Sloan
Richard L. Fruchterman
Richard S. Whitt
WorldCom, Inc. D/b/a LDDS WorldCom
1120 Connecticut Avenue, NW
Suite 400
Washington, DC 20036

Jeffrey L. Sheldon
UTC
1140 Connecticut Avenue, NW
Suite 1140
Washington, DC 20036

SERVICE LIST FOR WT DOCKET 96-6

Jonathan M. Chambers
Sprint Spectrum
1801 K Street, NW
Suite M-112
Washington, DC 20006

Danny E. Adams
Edward A. Yorkgitis, Jr.
Kelley Drye & Warren
1200 19th Street, NW
Washington, DC 20036-2423
Attorneys for DCS Communications
Corporation

Maureen O. Helmer
Susan M. Narkewicz
New York State Dept. of Public Services
Three Empire State Plaza
Albany, NY 12223-1350

R. Michael Senkowski
Katherine M. Holden
Stephen J. Rosen
Wiley Rein & Fielding
1776 K Street, NW
Washington, DC 20006
Attorneys for PCIA

Richard Ekstand
Government and Industry Affairs Committee
Rural Cellular Association
2120 L Street, NW
Suite 520
Washington, DC 20037

John G. Lamb, Jr.
Northern Telecom, Inc.
2100 Lakeside Boulevard
Richardson, TX 75081-1599

Steven H. Schulman
Latham & Watkins
1001 Pennsylvania Avenue, NW
Suite 1300
Washington, DC 20004
Attorney for PACS Providers Forum

Timothy R. Graham
Leo I. George
Joseph M. Sandri, Jr.
Winstar Communications, Inc.
1146 19th Street, NW
Washington, DC 20036